

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010a. memo	To: The President From: Bernie Nussbaum, Ron Klain (2 pages)	04/27/1993	P2, P6/b(6)
010b. profile	Individual Profile (9 pages)	n.d.	P2, P6/b(6)
011. memo	To: The President From: Bernie Nussbaum, Ron Klain (5 pages)	05/11/1993	P2, P6/b(6)
012a. memo	To: Bruce Lindsey, Bernie Nussbaum, Vince Foster From: Ron Klain [partial] (4 pages)	03/23/1993	P2, P5, b(6) 610
012b. list	Consultation (1 page)	n.d.	P2, P5, P6/b(6)
012c. list	List (1 page)	n.d.	P2, P6/b(6)
013a. note	Handwritten (1 page)	03/15/1993	P2, P6/b(6)
013b. memo	To: The President From: Bernie Nussbaum, Ron Klain (5 pages)	05/13/1993	P2, P6/b(6)
013c. report	Summary (8 pages)	n.d.	P2, P6/b(6)
014. memo	To: The President From: Bernie Nussbaum, Ron Klain (5 pages)	05/13/1993	P2, P6/b(6)
015a. memo	To: Bernie Nussbaum, Bruce Lindsey, Vince Foster (1 page)	05/24/1993	P2, P6/b(6)
015b. memo	To: Ronald Klain From: Bill Lerach (1 page)	05/24/1993	P2, P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Bernard Nussbaum
OA/Box Number: CF 22

FOLDER TITLE:

Court Search (Supreme Court 1993)

2006-0188-F
ds186

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

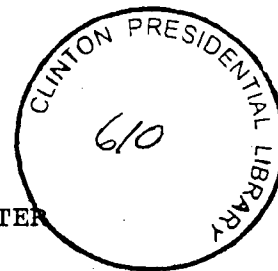
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

March 23, 1993



MEMORANDUM FOR BRUCE LINDSEY, BERNIE NUSSBAUM, VINCE FOSTER

FROM: RON KLAIN

SUBJECT: SUPREME COURT VACANCY: PROCESS

The purpose of this memorandum is to set forth a process to be used in implementing a tentative Presidential decision to select (b)(6) for the White vacancy.

Overall Strategy Issue

The basic question is to what extent do we conduct a "search" if the President has made up his mind; i.e., Do we cast a broad net for prospective candidates if the outcome is basically preordained?

My view is that, if the President tentatively selects (b)(6) we should do less, and not more, outreach-type activities. There is no reason to needlessly prolong the process, where one of the principal advantages to selecting (b)(6) is that his nomination brings rapid closure to the process.

Consequently, the plan I outline below reflects what I believe is the minimum we can undertake, prudently, prior to our announcement of an intention to nominate (b)(6)

Specific Measures that Should be Undertaken

There are four specific measures that should be undertaken before a decision is announced.

1. Senate Consultation

Senate leaders, particularly Chairman Biden, have previously made strong statements about their desire to be consulted on Supreme Court nominations; if we fail to do so, we will engender considerable ill-will towards our nominee.

While I am awaiting Howard's views on this question, I personally believe that we should share a list of 15-20 names with key Democratic Senators (Mitchell, Biden, and Ford), for their reaction and response. They would prefer for this consultation to be public; I am less certain about that.

The list to be used for consultation should contain some names that will be even less desirable to conservatives than (b)(6) it should also reflect geographic, gender, racial, and professional diversity. We should assume that the list, in its entirety, will be leaked to the press.

COPY

A proposed list to be used in consultations is attached. 6/0

With respect to the Republican Senators themselves (Dole and Hatch), I would have the President call them and seek out their comments and reaction, without offering them a specific list for review. While even these consultations may draw criticism from the left -- and be called unnecessary, since Democrats control the Senate -- it will make confirmation an easier task.

I would also urge the President to call the Democratic women on the Judiciary Committee (Feinstein and Moseley-Braun) to get their reaction to (b)(6). We will need them to back us up if we do not choose a woman for this vacancy.

2. Legal Profession Consultations

Attorney General Reno has raised the question of whether we should launch a visible effort to consult with leaders of the legal profession -- bar leaders, law school deans, state Attorneys General -- about potential candidates. She has urged this, both as a substantive matter -- it may yield a winning candidate -- and as a political matter -- it brings benefits in any event.

I am skeptical of highly public outreach efforts if the choice is going to be (b)(6). However, the President may want to make a few calls, to selected bar leaders, selected deans, and selected AGs, to indicate a level of concern and interest in the choice.

I have attached a proposed list of calls.

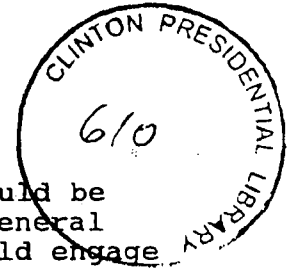
3. Vetting and the FBI Investigation

Earlier, I raised the possibility of submitting multiple candidates to vetting. If we are centering the process on (b)(6) that does not make sense. However, we need to decide whether we would vet (b)(6) pre-announcement: (a) internally and/or (b) via an FBI background investigation (adding about 10 days to the process, and leaks). Our options are discussed below.

a. The Internal Vet

The internal vet would have two phases: investigations prior to (b)(6) meeting with the President, and inquiries following the meeting.

COPY



1. Prior to the Presidential Meeting

Prior to (b)(6) meeting with the President, he should be interviewed, at the Department of Justice, by Attorney General Reno, Bernie Nussbaum, and Vince Foster. The three should engage in a long and specific inquiry concerning any potential confirmation problems.

In advance of this meeting, we should ask (b)(6) to complete:

- (a) The Personal Data Questionnaire, used by us and the ABA to evaluate judicial nominees;
- (b) The Medical Questionnaire, for internal purposes only; and
- (c) The Financial Questionnaire, also for internal purposes.

These materials could be reviewed and serve as a basis for the questioning of (b)(6) in the meeting with Reno, Nussbaum, and Foster. The goal is to insure that the staff is confident that (b)(6) does not have disqualifying problems before he is sent in to meet with the President.

2. Subsequent to the Presidential Meeting

Subsequent to the Presidential meeting, (b)(6) forms and the supporting materials should be turned over to an experienced vetting team, for their full review and analysis. This group should report to Attorney General Reno and Bernie Nussbaum, who will make a final recommendation to the President about a decision on the nomination.

b. Use of the FBI

The final question is whether we want to do any FBI work on (b)(6) prior to the announcement of his selection.

While we might not want to await a complete FBI Background Investigation to announce his selection, we could ask (b)(6) to complete papers necessary to perform an FBI file check. This would make us aware of any appearances of (b)(6) name in FBI investigative files.

In addition, in this way we could say that some FBI investigation of (b)(6) was done before the announcement.

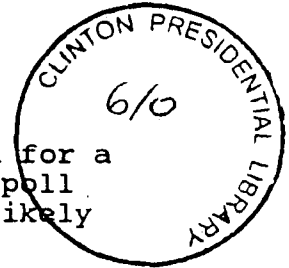
Obviously, once a public announcement is made, a full-scale background check will be conducted.

COPY

4. American Bar Association

Before we proceed with (b)(6) we should ask the ABA for a 24-hour "read" on him: an informal process whereby they poll their Committee members and give us a "sense" of their likely evaluation of him.

This would be confidential on both sides (we could not disclose that we had done this), and would not prevent the ABA from issuing a lower rating later.



COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. list	Early in 1993 Process (1 page)	1993	P2, P6/b(6)
001b. list	Consultation (1 page)	n.d.	P2, P5, P6/b(6)
002a. memo	To: The President From: Bernie Nussbaum, Ron Klain (4 pages)	05/05/1993	P2, P6/b(6)
002b. report	Summary (8 pages)	n.d.	P2, P6/b(6)
003a. agenda	Agenda for April 11 Meeting [partial] (1 page)	04/1994	P2, b(6) Cell
003b. memo	To: The President From: Lloyd Cutler, Joel Klein, Victoria Radd (5 pages)	04/11/1994	P2, P6/b(6)
004. memo	To: The President (1 page)	04/15/1994	P2, P6/b(6)
005. memo	To: The President From: Lloyd Cutler, Joel Klein, Victoria Radd (3 pages)	05/02/1994	P2, P6/b(6)
006. memo	To: The President From: Lloyd Cutler, Joel Klein, Victoria Radd (3 pages)	05/02/1994	P2, P6/b(6)
007. memo	To: The President From: Lloyd Cutler, Joel Klein, Victoria Radd (9 pages)	04/15/1994	P2, P6/b(6)
008. memo	To: The President From: Lloyd Cutler, Joel Klein, Victoria Radd (6 pages)	04/22/1994	P2, P6/b(6)
009. memo	To: The President From: Bernie Nussbaum, Ron Klain (2 pages)	05/19/1993	P2, P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Victoria Radd
OA/Box Number: 6769

FOLDER TITLE:

Supreme Court Candidates Status

2006-0188-F

ds187

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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THE WHITE HOUSE
WASHINGTON

AGENDA FOR APRIL 11 MEETING
REGARDING SUPREME COURT VACANCY



- I. Legal and Political Aspects of a (b)(6) Appointment
 - A. Emoluments Clause
 - B. Effect on Legislative Agenda
 - C. Timing Issues
 - 1. Service at Outset of October Term
 - 2. Service by January 1995
- II. Review of Backgrounds of Potential Nominees
- III. Administration Decision-Making Process
 - A. Process and Schedule
 - B. Congressional Consultations
 - C. Consultations with Outside Groups

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	To: Brian L. Greenspun From: Bill Clinton (partial - Presidential Annotation) (1 page)	05/13/1994	P5 1505
001b. Cover Sheet	To RM For Dispatch (partial - Presidential Annotation) (1 page)	05/13/1994	P5 1506
001c. letter	To: Arthur Ochs Sulzberger, Jr. From: Garrick Feldman (1 page)	04/14/1994	P6/b(6)
001d. letter	To: Dean Baquet From: Garrick Feldman (1 page)	05/05/1994	P6/b(6)
001e. letter	To: Bill Clinton From: Marie Clinton Bruno (3 pages)	05/05/1994	P6/b(6)

COLLECTION:

Clinton Presidential Records
WHORM Subject File-General
ME
OA/Box Number: 23559

FOLDER TITLE:

075053

Dana Simmons
2006-0188-F
ds131

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

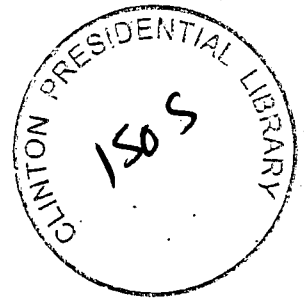
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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THE WHITE HOUSE
WASHINGTON



May 13, 1994

Brian L. Greenspun
Las Vegas Sun
Post Office Box 4275
Las Vegas, Nevada 89127

Dear Brian:

Thanks for your letter of May 11 and for sending Amy's "Where I Stand" column. I know Myra must be very proud. I'm sure Mother's Day was especially great this year!

Thanks, too, for sharing the information about Jerry Lindauer. I appreciate your suggestion that I appoint Jerry to the Broadcasting Board of Governors. I've shared your letter with Veronica Biggins, Director of Presidential Personnel, to let her know of your personal recommendation.

See you soon.

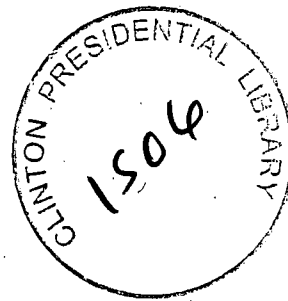
Sincerely,

Bill

940513

✓ cc V Biggins
can't do this!

5/13
(date)



TO RM FOR DISPATCH

COPY OF OUTGOING ONLY TO:

- Trey Schroeder (2nd Fl, East Wing)
- Nancy Hernreich thru John Podesta
- Veronica Biggins
- _____

FW
(initials)

cc V Biggins
can't do this!

PHOTOCOPY
WJC HANDWRITING

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	To: Stephen P. Williams & Robert M. Lyford From: Bruce Lindsey (1 page)	05/17/1994	P2 1507

NO b(6) -
Arnold is
deceased

COLLECTION:

Clinton Presidential Records
WHORM Subject File-General
FG006-01
OA/Box Number: 14985

FOLDER TITLE:

[088617]

Dana Simmons
2006-0188-F
ds109

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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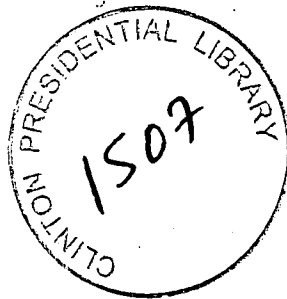
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207



THE WHITE HOUSE
WASHINGTON

088617
F6 006-01

May 17, 1994

Stephen P. Williams
Robert M. Lyford
Arkansas Electric Cooperative Corporation
P. O. Box 194208
Little Rock, Arkansas 72219-4208

Dear Steve and Bob:

Thanks for your letter in support of Judge Richard Arnold for the vacancy on the United States Supreme Court. As you know, I share your support for Judge Arnold and regret that the President did not feel he could name Richard at this time. Hopefully, the health issues will be resolved, and I expect the President to seriously consider Judge Arnold for future vacancies. Thanks for writing.

Sincerely,

Bruce R. Lindsey
Assistant to the President
and Senior Advisor

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	To: Donald A. Baer From: David Dreyer (3 pages)	05/12/1994	P2, P5 1508

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO 1993/01-1995/12 ([Richard Arnold; Richard S Arnold])
OA/Box Number: 500000

FOLDER TITLE:

[05/12/1994]

Dana Simmons
2006-0188-F
ds193

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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- RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

CREATOR: David Dreyer (DREYER_D) (WHO)

CREATION DATE/TIME: 12-MAY-1994 19:19:00.00

SUBJECT: Okay, forget about Judge "B" -- what about Judge "A"?

TO: Donald A. Baer (BAER_D) (WHO)

READ: UNKNOWN

TEXT:

PRINTER FONT 12_POINT_COURIER

REMARKS OF PRESIDENT WILLIAM JEFFERSON CLINTON

ON THE NOMINATION OF JUDGE RICHARD ARNOLD

TO SERVE AS ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT
MAY 12, 1994

In a few weeks, when the Supreme Court concludes its term, Justice Harry Blackmun will complete a lifetime of public service to our country. Few Members of the Court have exhibited such remarkable courage, or lived life with such a warm and persevering heart. On behalf of all Americans, I offer him our nation's deepest appreciation for a job well done.

Article II, section 2 of our Constitution empowers the President to select one nominee to fill a vacancy on the Supreme Court of the United States. As a lawyer, a former State Attorney General, a Governor who appointed dozens of jurists to the bench in my state but, most of all, as a former professor of constitutional law, I know this duty is one of the President's most lasting and fateful responsibilities -- for a new Justice can affect our country's legal direction for decades to come.

Since Harry Blackmun announced his decision to retire, many have speculated about how his successor might change or move the Court in one direction or another. History teaches us that such conjecture is folly. I believe a President can best serve our country by finding and nominating the best qualified candidate whose experience manifests the characteristic that matters most - excellence.

In pursuit of such excellence, my search for an Associate Justice of the Supreme Court led me to Judge Richard Arnold, who serves today on the U.S. Court of Appeals for the Eighth District.

In nominating Judge Richard Arnold to be the 108th Associate Justice of the Supreme Court, I enjoy the great privilege of

Presidents: Recognizing the truly extraordinary talents of a brilliant jurist, and asking him to uphold our Constitution and fairly apply our laws for the people who live within them or who seek their protection.

Judge Arnold, without dispute, is one of the outstanding jurists of our age. He has a tight fisted grasp of the law, a boundless respect for the constitutional and legal rights of the American people, and a large spirit that is the foundation for his searching and restless intellect. When Judge Arnold writes opinions, his pen speaks with a spare and elegant clarity.

These gifts -- brilliance, analysis, and eloquence -- accompanied him on a long and varied journey through various



aspects of the law.

He was first in his class at Harvard Law School, Case Editor of the Law Review, and Clerk to Associate Justice William Brennan. He returned home to Arkansas for private practice and to serve as legislative liaison for then Governor Bumpers. In 1978, President Carter first selected him for the Federal District Court, where he served two years, and then chose him to serve on the Eighth Circuit Court of Appeals.

Now Chief Judge of that Court, Judge Arnold has shown judicial craftsmanship and a superlative sense of humanity that have won him the highest tribute his colleagues on the bench can pay.

Over one hundred federal judges -- liberals and conservatives, Democrats and Republicans, judges hailing from the North and South -- have advocated his appointment to the very Court on which many of them aspire to sit themselves. Their deep conviction reinforces my own belief that Judge Arnold's

appointment will magnify and deepen the existing membership of an already distinguished Court.

I have a confession that goes beyond this nominee's credentials. I am deeply fond of Richard Arnold and his family: His memories of his hometown Texarkana -- where he went to school, where he saw Gene Autry movies, where learned to play golf, and where got to eat lunch with his Dad on school days -- his wife, Kay, who served me so ably in State Government; and his daughters, Janet and Lydia.

I admire Judge Arnold's amazing scholarship, his ability to quote Scripture in Latin, Greek and Hebrew, his competitiveness on the golf course, and his deep concentration when he plays cards. If he is confirmed, as I know he will be, his new colleagues on the Supreme Court will enjoy these qualities as well.

About a decade ago, Judge Arnold invoked the Gospel of St. Matthew in law review article praising the jurisprudence of Harry Blackmun. Justice Blackmun, he said, "has not disdained to concern himself with the welfare of the least of his brothers and sisters."

Much like the man he will replace, Judge Arnold has found room in the heart and letter of the law to protect the prayers of penitent prisoners, to lift the chafe and weight of discrimination from the shoulders of African-Americans, to free women from paternalistic biases, and to honor the claims of individuals even when their rights come with uncomfortable consequences for the powerful.

Patricia Wald, herself one of our nation's finest judges, has said of Richard Arnold, he is a "strong and plain spoken judge sensitive to the needs of ordinary people and not afraid to

recognize and declare basic rights to protect their most basic needs, even if those rights are not specifically enumerated in the Constitution. Most of us, at this stage in our careers, could not ask for a nobler interim epitaph."

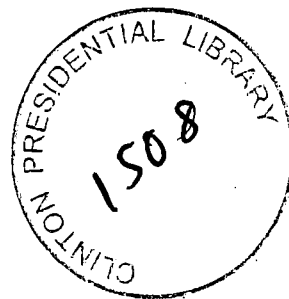
But perhaps the most illuminating thing about Richard Arnold -- the most compelling aspect of his character I want the American people to know about him -- is the standard to which he holds himself in the words he has written:

"If you have made," he says, "a serious effort to focus your own conscience on any subject and have reflected



on it carefully, and you are doing what your conscience tells you ought to be doing, then that is what God requires."

If this is the creed of a nominee for the Court, who can stand against him? If this is the conscience the Court brings to its next term, I believe the causes of American justice and liberty and freedom will surely be served.



Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001. email	To: Donald A. Baer, Robert O. Boorstin From: David Dreyer (3 pages)
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05/13/1994	P2, P5 1509
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No b6
Arnold is deceased

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO 1993/01-1995/12 ([Richard Arnold; Richard S Arnold])
OA/Box Number: 500000

FOLDER TITLE:

05/13/1994

Dana Simmons
2006-0188-F
ds194

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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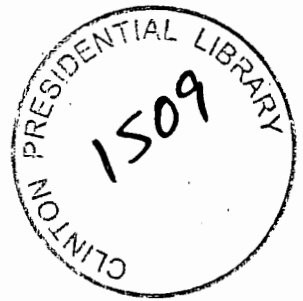
C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

CREATOR: David Dreyer (DREYER_D) (WHO)

CREATION DATE/TIME: 13-MAY-1994 09:17:00.00

SUBJECT: Updated Version. Don't Assume a Decision, It's Chinatown

TO: Donald A. Baer (BAER_D) (WHO)
READ: UNKNOWN

TO: Robert O. Boorstin (BOORSTIN_R) (WHO)
READ: UNKNOWN

TEXT:

PRINTER FONT 12_POINT_COURIER

REMARKS OF PRESIDENT WILLIAM JEFFERSON CLINTON

ON THE NOMINATION OF JUDGE RICHARD ARNOLD

TO SERVE AS ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT
MAY 12, 1994

In a few weeks, when the Supreme Court concludes its term, Justice Harry Blackmun will complete a lifetime of public service to our country. Few Members of the Court have exhibited such remarkable courage, or lived life with such a warm and persevering heart. On behalf of all Americans, I offer him our nation's deepest appreciation for a job well done.

Article II, section 2 of our Constitution empowers the President to select one nominee to fill a vacancy on the Supreme Court of the United States. As a lawyer, a former State Attorney General, a Governor who appointed dozens of jurists to the bench in my state but, most of all, as a former professor of constitutional law, I know this duty is one of the President's most lasting and fateful responsibilities -- for a new Justice can affect our country's legal direction for decades to come. It is a duty best exercised wisely and not in haste.

Since Harry Blackmun announced his decision to retire, many have speculated about how his successor might change or move the Court in one direction or another. History teaches us that such conjecture is folly. I believe a President can best serve our country by nominating the best qualified candidate whose experience manifests the quality in a Justice that matters most excellence.

In the pursuit of such excellence, my search for an Associate Justice of the Supreme Court led me to Judge Richard Arnold, who serves today on the U.S. Court of Appeals for the Eighth District.

In nominating Judge Richard Arnold to be the Court's 108th, I enjoy the great privilege of Presidents: Recognizing the truly extraordinary talents of a brilliant jurist, and asking him to uphold our Constitution and fairly apply our laws for the people who live within them or who seek their protection.

Judge Arnold, without dispute, is one of the outstanding jurists of our age. He has a tight fist grasp of the law, a boundless respect for the constitutional and legal rights of the American people, and a large spirit that is the foundation for his searching and restless intellect. When Judge Arnold writes opinions, his pen speaks with a spare and elegant clarity.

These gifts -- brilliance, analysis, and eloquence -- accompanied him on a long and varied journey through various aspects of the law.



He was first in his class at Harvard Law School, Case Editor of the Law Review, and Clerk to Justice William Brennan. He then returned home to Arkansas for private practice and to serve as legislative liaison for then Governor Bumpers. In 1978, President Carter first selected him for the Federal District Court, where he served two years, and then chose him to serve on the Eighth Circuit Court of Appeals where he has been for fourteen years.

Now Chief Judge of the Eighth Circuit, Judge Arnold has shown judicial craftsmanship and deep humanity, qualities that have won him the highest tribute colleagues on the bench can pay.

This is unprecedented: Over one hundred federal judges -- liberals and conservatives, Democrats and Republicans, judges hailing from the North and South -- have advocated his appointment to the very Court on which many of them aspire to sit themselves. This collective act of selflessness on the part of so many talented Federal Judges speaks volumes about how Judge Arnold will magnify and deepen the membership of an already distinguished Court.

I have a confession that goes beyond this nominee's credentials. I am deeply fond of Richard Arnold and his family. I respect Judge Arnold's amazing scholarship, his ability to quote Scripture in Latin, Greek and Hebrew, his competitiveness on the golf course, and his deep concentration when he plays cards. Hillary and I enjoy the friendship of his wife, Kay, who served me so ably in State Government; and his daughters, Janet and Lydia.

Most of all, Richard Arnold reminds us that big things are often accomplished by people who begin life in small towns. Richard grew up in Texarkana, Arkansas -- where he went to school, saw Gene Autry movies, learned to play golf, and got to eat lunch at home with his Dad even on school days. It was a wonderful beginning to a remarkable life.

About a decade ago, Judge Arnold invoked the Gospel of St. Matthew in law review article praising the jurisprudence of Harry Blackmun. Justice Blackmun, he said, "has not disdained to concern himself with the welfare of the least of his brothers and sisters."

Much like the man he will replace, Judge Arnold has found room in the heart and letter of the law to protect the prayers of penitent prisoners, to lift the chafe and weight of discrimination from the shoulders of African-Americans, to free women from paternalistic biases, and to honor the claims of individuals even when their rights come with uncomfortable consequences for the powerful.

Patricia Wald, herself one of our nation's finest judges, has said of Richard Arnold, he is a "strong and plain spoken judge sensitive to the needs of ordinary people and not afraid to recognize and declare basic rights to protect their most basic needs, even if those rights are not specifically enumerated in the Constitution. Most of us, at this stage in our careers, could not ask for a nobler interim epitaph."

But perhaps the most illuminating thing about Richard Arnold -- the most compelling aspect of his character I want the American people to know about him -- is the standard to which he

holds himself in the words he has written:

"If you have made," he says, "a serious effort to focus your own conscience on any subject and have reflected on it carefully, and you are doing what your conscience tells you ought to be doing, then that is what God requires."

If this is the creed of a nominee for the Court, who can stand against him? If this is the conscience the Court brings to its next term, I believe the causes of American justice and liberty and freedom will surely and ably be served.



Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	To: Stephen B. Silverman et al. From: David Dreyer Re: Things to Watch; Things to Worry About; Things to Do (1 page)	05/21/1994	P5 1510
002. email	To: Stephen B. Silverman et al. From: David Dreyer Re: Weeklies (2 pages)	06/11/1994	P5 1511

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO 1993/01-1995/12 ([Richard Arnold; Richard S Arnold])
OA/Box Number: 500000

FOLDER TITLE:

05/17/1994 - 07/14/1994

Dana Simmons
2006-0188-F
ds195

RESTRICTION CODES

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RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

CREATOR: David Dreyer (DREYER_D) (WHO)

CREATION DATE/TIME: 21-MAY-1994 13:27:00.00

SUBJECT: Things to Watch; Things to Worry About; Things to Do.

TO: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ: UNKNOWNTO: Dana J. Hyde (HYDE_D) (WHO)
READ: UNKNOWNTO: Phillip M. Caplan (CAPLAN_P) (WHO)
READ: UNKNOWNTO: Laurie L. Labuda (LABUDA_L) (WHO)
READ: UNKNOWNTO: Jason S. Goldberg (GOLDBERG_JS) (WHO)
READ: UNKNOWN

TEXT:

Things to watch:

1/ Remind economic team of the possible news and message making value of the report of the GNP first quarter growth first revision.

2/ Alert Alexis and call Keith (Boykin) to discuss the HHS item that the Department will award \$12 million to four historically black colleges

3/ Prepare Ricki, Rubin, and Rasco for request by Cisneros for White House event on the President's Community Investment Strategy. In fact, we should also include Alexis and Marcia in a discussion about having this. Cisneros doesn't request it, but he probably should.

Things To Worry About:

1. Albright's description of Nightline shows an utter breakdown by NSC in looking out for Cabinet people when they assign folks to shows. Albright and Cheney should have appeared separately.

2. By May 24th and the health reform status report meeting with HHS, Rasco, and people in the Administration with disabilities, we should straighten out the Richard Arnold mess.

3. Someone should ask Agriculture why Kempthorne and Craig are asking about our sexual orientation policy.

4. Someone should ask Ag why its forest service law enforcement regulations are perceived to be hostile to Western interests.

Things to Do:

1. POTUS should call Madeleine Albright to congratulate her on daughter Katie's graduation from Law School.



RECORD TYPE: PRESIDENTIAL ALL-IN-1 MAIL

CREATOR: David Dreyer (DREYER_D) (WHO)

CREATION DATE/TIME: 11-JUN-1994 08:47:10.68

SUBJECT: Cabinet Weeklies, June 10

TO: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ: 13-JUN-1994 09:04:26.97

TO: Dana J. Hyde (HYDE_D) (WHO)
READ: 13-JUN-1994 15:06:21.92

TO: Phillip M. Caplan (CAPLAN_P) (WHO)
READ: 11-JUN-1994 14:38:54.16

TO: Laurie L. Labuda (LABUDA_L) (WHO)
READ: 13-JUN-1994 09:02:14.72

TO: Jason S. Goldberg (GOLDBERG_JS) (WHO)
READ: 13-JUN-1994 10:09:48.26

TEXT:

Treasury. Under the REA entry on page 6, Bentsen reports that Alan Simpson is holding up action on REA legislation that reduce federal subsidies. Could we get an explanation of that, and a paragraph on the status of the legislation?

DOJ. DOJ mentions that they are planning with White House staff (Rahm, I assume), a Rose Garden ceremony marking the 100 days of Brady and to report on its effectiveness. What do we know about this event?

DOJ. HEADS UP. On June 15th, the INS team is scheduled to testify before the Senate Judiciary Committee on the Administration's immigration accomplishments. Will their testimony be vetted in advance. Is there something to be proud of? Do we need to inoculate/trumpet?

DOJ. HEADS UP II. On June 15th, Walter Dellinger is scheduled to testify before the Senate on the line item veto. We need to have a meeting on this -- with Sperling, Griffin, and me, minimally. The President endorsed certain kinds of line item vetos in the campaign. There is an economic dimension to this testimony. ETC.

DOJ. Did DOJ do any kind of outreach to the disability community in regards to its Boston restaurant settlement? The President hurt himself with this group when he turned down Richard Arnold for reasons that appeared to violate ADA. We could use some credit mongering now.

DOD. On Page 1, Perry reports the award of a \$1.6 billion contract to McDonnell-Douglas for C17s. Did we have a chance to participate in this announcement?

UN. Would you please obtain for me the two speeches M. Albright gave last week: Commencement at the JFK School and the Literary Exercises to induction in to the Phi Beta Kappa Chapter of Harvard and Radcliffe?

OPM. I think we should ask Jim King to do a tally on the number of buyouts we have achieved.

SBA. Katie Broeren's weekly has a tally on pages 5 and 6 showing when Disaster Declaration Physical Loan Loss Applications are closed for various states/sites of disasters. We should ask Morrie Goodman to prepare press releases for these closing dates



summing up our accomplishments in the disaster areas.
That's all, Folks.
Thanks for sharing.
D2

